

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ARLENE DELGADO,

Plaintiff,
-against-

DONALD J. TRUMP FOR PRESIDENT, INC.,
TRUMP FOR AMERICA, INC., SEAN SPICER,
individually, REINCE PRIEBUS, individually,
STEPHEN BANNON, individually,

USDC SDNY
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19-CV-11764 (AT) (KHP)

ORDER REGARDING MOTION TO
DEPOSE MICHAEL GLASSNER

Defendants.
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KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE:

On September 24, 2024, Plaintiff filed a letter seeking to depose Michael Glassner.¹ (ECF No. 444.) While Plaintiff has made this request several times before, the letter raises a new justification for Glassner's deposition, namely, that Defendants filed a declaration of Glassner in support of their motion for summary judgment. (See ECF No. 438.) Defendants have not responded to Plaintiff's letter.

Pursuant to Federal Rule of Civil Procedure 56(d), "[i]f a nonmovant shows by affidavit or declaration that, for specified reasons, it cannot present facts essential to justify its opposition, the court may: (1) defer considering the motion or deny it; (2) allow time to obtain affidavits or declarations or to take discovery; or (3) issue any other appropriate order." Fed. R. Civ. P. 56(d). Because Defendants have submitted a declaration of Glassner and Plaintiff has averred that she cannot present facts to oppose the statements made in Glassner's declaration, the Court will grant Plaintiff's request to depose Glassner. The deposition must be limited to

¹ Although Plaintiff's letter was addressed to Judge Torres, Plaintiff's request concerns pre-trial matters, and therefore is properly before the undersigned.

three hours and limited to the topics and allegations contained in Glassner's declaration. Plaintiff must complete Glassner's deposition by **October 31, 2024**. In addition, the summary judgment deadlines are revised as follows: Plaintiff's opposition to the motion for summary judgment and cross-motion, if any, is due **November 29, 2024**; Defendant's reply and opposition to the cross-motion, if any, is due **December 13, 2024**; Plaintiff's reply in support of the cross-motion, if any, is due **December 31, 2024**.

The Clerk of Court is respectfully directed to terminate the motion at ECF No. 444.

SO ORDERED.

Dated: New York, New York
September 30, 2024

Katharine H. Parker

KATHARINE H. PARKER
United States Magistrate Judge